

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS ALMATY 004074

SIPDIS

SENSITIVE

E.O. 12958: N/A

TAGS: [PGOV](#) [KZ](#)

SUBJECT: KAZAKHSTAN: PRESIDENTIAL ELECTION ROUNDUP

REF: Almaty 4010

[11](#). (U) This is the eighth in a series of weekly election roundups in advance of Kazakhstan's December 4, 2005 presidential elections. Items were drawn primarily from the local press and media.

CEC Statements on Election Campaigns  
-----

[12](#). (U) On November 3, CEC Chairman Zhumabekov sent a letter to the head of Nazarbayev's campaign headquarters Zhumagulov regarding violations of the law by some activists of Nazarbayev's campaign. The CEC received information on a number of public meetings arranged by representatives of Nazarbayev's campaign headquarters that violated the law. The CEC requested that immediate measures be taken not to allow any illegal public meetings.

[13](#). (SBU) On November 8, the CEC issued a warning against any campaigning by foreigners, foreign organizations, Kazakhstani government agencies or officials in favor of any candidate. The CEC ordered the MFA to remove from its website Malaysian former Prime Minister Mahatir Mohammad's greetings and wishes of success to Nazarbayev in the upcoming elections. Some observers saw the statement as an indirect warning to other government agencies and officials that they must abide by the law; others saw it as a clumsy attempt to show the CEC's impartiality.

[14](#). (U) In a November 11 press conference, CEC Chairman Zhumabekov announced that the CEC plans to introduce amendments to the Election Law to revoke the provision banning rallies and demonstrations after the end of election campaigns. Zhumabekov said that the CEC agreed with the OSCE/ODIHR, which had pointed out that such a ban could limit the freedom of peaceful meetings. The CEC released a formal statement the same day responding to ODIHR's first interim report in detail. The CEC described the ODIHR report as generally positive and reflecting the spirit of constructive cooperation between the OSCE/ODIHR and the CEC. The statement noted that the report reflected EOM head Amb. Audrey Glover's commitment to unbiased observation without "double standards." The CEC stated that it had taken action to implement a number of "reasonable" ODIHR recommendations, including canceling the Almaty procuracy's August 16 warning to Tuyakbay, streamlining the procedure for issuance of absentee registration cards, and introducing a draft amendment to revoke the April 2005 ban on peaceful rallies and public between the end of the campaign and the announcement of results. (Note: The draft was sent to Parliament on November 15 but is unlikely to be passed before the presidential elections.) The CEC is setting up a group of experts to work on further improvement of the election legislation.

[15](#). (U) The statement noted that the CEC did not agree with all the recommendations in the ODIHR report, however. The most serious one concerns the composition of electoral commissions. The CEC stated that Kazakhstan meets the requirement of the Copenhagen document regarding the ability of political parties and organizations to compete with one another on an equal basis. It also stated that all legal political parties are represented on electoral commissions. The CEC also disagreed with ODIHR's criticism of CEC decisions to deny registration to a number of candidates. In the statement, the CEC expressed its readiness to review any reports of restriction of freedom of speech or abuse of power by local governments or law enforcement about which the OSCE has reliable evidence.

Almaty Residents Support Nazarbayev  
-----

[16](#). (U) About 73% of voters in Almaty plan to go to the polls on December 4, the Kazrating agency announced on November 7. According to their survey, if the election were to be held the next Sunday, 71% of the electorate would vote for Nazarbayev, 17% for Tuyakbay, and 11% for

Alikhan Baymenov, Yerasyl Abylkasymov and Mels Yeleusizov combined. "At the same time, Almaty residents are not

confident that the upcoming election will be fair and legitimate," Kazrating's executive director Maksim Kaznacheyev said. "Only 14% expressed their confidence in that. This figure is an indication that Astana may fail to hold a fair and legitimate election. The power should change its approach to the election campaign and try to make it more transparent and flexible, so that there will be no rebukes for non-legitimacy."

#### Interior Ministry Responds to Tuyakbay's Complaint

-----

17. (U) As Zharmakhan Tuyakbay continued his election campaign with visits to Mangistau and Atyrau Oblasts this week, his election headquarters issued a statement addressed to the Central Election Commission (CEC) about provocative actions against Tuyakbay by unspecified individuals during his October 29 meeting at the Kosmos movie theater in Pavlodar (reftel). The CEC forwarded the complaint to the Interior Ministry. Vice Minister Alik Shpekbayev responded that they had received no complaints on the incident. According to Shpekbayev, the oblast police provided for order around the Kosmos theater and recorded no violations. The FJK security service was responsible for maintaining order inside the building. Shpekbayev stated that, in light of the statement from Tuyakbay's campaign headquarters, the Interior Ministry had taken appropriate measures to coordinate its activities with those of candidates' security services in order to prevent disorder in the future.

#### Police Block FJK Film Screening

-----

18. (U) On November 11 in Almaty, the police tried to prevent Tuyakbay's campaign team from showing what authorities described as a film "defaming" President Nazarbayev. Tuyakbay's proxy Gulzhan Yergaliyeva and three other opposition activists disobeyed the police order. As a result, Yergaliyeva and her companions, Tatyana Chernyak, T. Aletova and A. Masymkhodjayeva, were detained and taken to the Bostandyk district police office. The video camera and video tapes were seized, and administrative charges were filed against all four FJK activists. In addition, Yergaliyeva was charged with disseminating slanderous material (Article 100 of the Administrative Code provides for up to 25,000 tenge or \$186 fine). The activists were released.

#### Mass Media Coverage of the Campaign

-----

19. (U) The Ministry of Culture, Information and Sport (MCIS) on November 7 released its second survey of mass media coverage of the presidential campaign during the preceding week. The highest number of reports (81) were about Tuyakbay's campaign; 66 reports were about Baymenov's campaign; and 32 were about Yeleusizov's campaign. The MCIS noted that its monitoring did not include materials related to Nazarbayev's activities as President. The Ministry criticized Kazakh radio and Interfax agency for uneven coverage of the campaigns. It also warned media outlets against the publication of information marring the honor, dignity and reputation of the presidential candidates. The survey was based on publications and news reports of the Kazakhstan-1 and Khabar TV channels, Kazakh Radio, Yegemen Kazakhstan and Kazakhstanskaya Pravda newspapers, and Kazinform news agency.

#### International press center to cover elections

-----

10. (U) A new international press center is opening to support coverage of the upcoming election. Its two major offices will be located in Almaty and Astana; they will be equipped with advanced technology such as high-speed Internet, fax, and DVC. Well-known political analysts will be invited to comment on the election campaigns. International reporters and observers are expected to do the bulk of their reporting on elections from the two centers.

#### TV Debate

-----

11. (U) The CEC has announced plans to conduct a televised

debate on November 17, and sent letters to all candidates on November 5 inviting them to participate. Tuyakbay initially responded that the debate would not be worthwhile unless Nazarbayev took part.

12. (U) Interfax reported on November 12, however, that Tuyakbay had changed his mind and agreed to participate in the November 17 debate with Yerasyl Abylkasymov, Alikhan Baymenov, and Mels Yeleusizov. Nazarbayev will be in Kiev on an official visit and therefore unable to take part. The topics for the debate include economic development, social issues, and domestic and foreign policy, the CEC reported. The debate will be shown on the Khabar state TV channel at prime time and will last an hour and a half.

#### Intermediate Report of Public Committee

13. (U) The Public Integrity Committee for Control over Elections, chaired by Senator Sultanov, issued an intermediate report that concluded that there had been no serious violations of election legislation during the nomination campaign. Unlike the OSCE report, the Kazakhstani committee underscored positive changes in the election legislation, such as accurate specification of the rights of observers, the right to check voters' lists in advance and make due corrections, etc. The report concluded that all necessary conditions exist for holding fair and transparent elections in Kazakhstan.

#### Opposition Figure Killed in Home

14. (SBU) Former Nazarbayev ally-turned-outspoken opposition figure Zamanbek Nurkadilov was found dead in his home on November 12. The Almaty police announced on November 15 that Nurkadilov had been shot once in the head and twice in the body. His own Cobalt revolver was found near his body. According to the Nurkadilov family lawyer, the killer shot through a pillow. The Almaty police also stated that preliminary analysis of video images from the 16 security cameras on Nurkadilov's property showed that no strangers had entered the compound on the day of the murder. The police are conducting a more detailed analysis of the footage. While presidential candidate Zharmakhan Tuyakbay reportedly implied in his speech at Nurkadilov's funeral that he did not believe the authorities were involved in the incident, more radical opposition figures such as Gulzhan Yergaliyeva have made public accusations to the contrary. Mazhilis member Mikhail Troshikhin's appeared to blame the opposition when he said that "only destructive forces which want to explode and shake the situation in Kazakhstan, which want blood" would benefit from Nurkadilov's death. Nurkadilov was buried on November 15 in Almaty.

#### ENEMO Observers Denied Accreditation

15. (SBU) The MFA informed the European Network of Election Monitoring Organizations (ENEMO) on November 7 that its representatives would not be accredited as election observers because ENEMO did not meet the definition of an international organization. The MFA cited the Law on International Agreements as defining an international organization as an interstate or intergovernmental organization. Four ENEMO long-term observers from Ust-Kamenogorsk and Aktau were subsequently detained and ordered to leave the country. In a November 9 letter to FM Tokayev, the Ambassador expressed disappointment with the decision and noted that other organizations with the same legal status as ENEMO, including the CIS-EMO, had been accredited. In response to the letter and post's interventions with the Presidential Administration, the GOK has reviewed the decision and advised the ENEMO observers to apply for

accreditation under the auspices of NDI. Post is working with NDI, the MFA, and the Presidential Administration to ensure that the accreditation process goes smoothly.

ORDWAY

NNNN